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| 09/823,148      | 03/29/2001  | Lynn R. Youngs       | 04860P2577          | 8665             |

7590

05/12/2004

Robert B. O'Rourke  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

TRIMMINGS, JOHN P

ART UNIT

PAPER NUMBER

2133

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

7

# Office Action Summary

Application No.

09/823,148

Applicant(s)

YOUNGS ET AL.

Examiner

John P Trimmings

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,13-28,30-36,39,41-52 and 54-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,13-28,30-36,39,41-52 and 54-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/19/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

This office action is in response to the applicant's amendment received 3/22/2004.

The examiner has considered the Information Disclosure Statements received 3/19/2004 and 3/25/2004.

#### **Response to Amendment**

The examiner acknowledges applicant's amendments to Claims 1, 3-6, 8, 15, 19, 25, 27, 28, 30, 39, 52, 54 and 55.

The examiner acknowledges applicant's cancellation of Claims 2, 10-12, 29, 37, 38, 40 and 53.

The examiner acknowledges receipt of amended drawings 2b and 6, and withdraws the objection to said drawings, but maintains the requirement that the applicant forward new drawings in compliance with 37 CFR 1.85.

The examiner acknowledges the applicant's changes to the disclosure and withdraws the objections to said disclosure.

Claims 1, 3-9, 13-28, 30-36, 39, 41-52 and 54-68 are pending.

#### **Response to Argument**

##### ***Response Re: Claim Rejections - 35 USC § 112(2)***

The examiner, in view of the amendment to Claim 28 by the applicant, has withdrawn the rejection to said claim.

***Response Re: Claim Rejections - 35 USC § 103(a)***

1. Applicant's arguments filed 3/22/2004 have been fully considered but they are not persuasive.

As per Claim 1:

The applicant has submitted that Kim fails to teach or suggest the following new limitations to the amended claim: "wherein said controller further comprises an input to receive configuration commands, a first of said commands to set said controller into a transparent mode in which received test commands are ignored by said controller, a second of said commands to set said controller into a selected mode in which received test commands are executed by said controller." Kim teaches the controller to comprise FIG.4 100, 200, 300, and 400, where the command input (TDS, TCK, TDI) configures the controller by way of the "BYPASS" instruction (column 5 lines 50-65), where TDI is ignored by the controller and where data is not shifted into the ADDRESS, CONTROL, and DATA portion of the controller (column 6 lines 31-67 and column 7 lines 1-22), thereby disabling the unit. A second command (any command other than BYPASS) is then used to re-instate the controller into a standard and active test unit as described in columns 6 lines 31-67 and column 7 lines 1-22. The examiner believes that the device of Kim operates in a "transparent" mode when the TAP controller portion (100, 200) of the controller is switched to "BYPASS", whereby the data, address, and control signals pass through the unit without being acted upon. Therefore, the examiner rejects the applicant's premise and argument based on a transparent controller, and reiterates the

original rejection of the first office action as being valid. And since the same applicant's argument as above is repeated for Claims 2-3, 13-15, 17-19 and 21-24, it follows that the examiner maintains the rejections of these claims based on the first office action. In total, Claims 1-3, 13-15, 17-19 and 21-24 are maintained as being rejected in view of the same references and arguments of the examiner's first office action.

As per Claim 25:

The applicant argues that the "single chip" considerations of Oakland fail to teach or suggest at least the following limitations of the applicant's amended claim: "first test input to receive configuration commands sent by said test unit, a first of said commands to set said first controller into a transparent mode in which received test commands are ignored by said first controller, a second of said commands to set said first controller into a selected mode in which received test commands are executed by said first controller." But Oakland does teach a multi-chip arrangement (Figure 3 on page 629) which receives a first input (TDI) from the test unit, a first command to set first controller (Figure 6 IC3) into transparent mode in which received commands are ignored by the first controller (Figure 3 IC3, and page 629 column 2 paragraphs 2 and 3). A second command (any command other than BYPASS) is then used to re-instate the controller into a standard and active test unit as described on page 628 column 2. The examiner believes that the device of Oakland operates in a "transparent" mode when the TAP controller portion is switched to "BYPASS", whereby the data, address, and control signals pass through the unit without being acted upon. Therefore, the examiner rejects the applicant's premise and argument based on a transparent controller, and reiterates

the original rejection of the first office action as being valid. And since the same applicant's argument as above is repeated for Claims 26-28, 30-37 and 39-40, it follows that the examiner maintains the rejections of these claims based on the first office action. In total, Claims 25-28, 30-37 and 39-40 are maintained as being rejected in view of the same references and arguments of the examiner's first office action.

As per Claim 41:

The applicant argues that the "single chip" considerations of Oakland fail to teach or suggest at least the following limitations of the applicant's amended claim: "receiving a test command at a controller; and executing said test command upon a memory core that is coupled to said controller, said test command sent from a second controller that is coupled to a second memory core, said second controller recognizing that said test command is not intended for said second controller." But Oakland does teach a multi-chip arrangement (Figure 3 on page 629) which receives a first input (TDI) from the test unit, a first command to set first controller (Figure 6 IC3) into transparent mode in which received commands are ignored by the first controller (Figure 3 IC3, and page 629 column 2 paragraphs 2 and 3). A second command (any command other than BYPASS) is then used to re-instate the controller into a standard and active test unit as described on page 628 column 2. The examiner believes that the device of Oakland operates in a "transparent" mode when the TAP controller portion is switched to "BYPASS", whereby the data, address, and control signals pass through the unit without being acted upon. Therefore, the examiner rejects the applicant's premise and argument based on a transparent controller, and reiterates the original rejection of the

first office action as being valid. And since the same applicant's argument as above is repeated for Claims 42-51, it follows that the examiner maintains the rejections of these claims based on the first office action. In total, Claims 41-51 are maintained as being rejected in view of the same references and arguments of the examiner's first office action.

As per Claim 52:

The applicant argues that the "single chip" considerations of Oakland fail to teach or suggest at least the following limitations of the applicant's amended claim: "wherein said configuration command sets said first controller to a transparent mode in which said first controller ignores subsequent test commands and forwards said subsequent configuration commands to another controller that is downstream in said daisy chain from said first controller." But Oakland does teach a multi-chip arrangement (Figure 3 on page 629) which receives a first input (TDI) from the test unit, a first command to set first controller (Figure 6 IC3) into transparent mode in which received commands are ignored by the first controller (Figure 3 IC3, and page 629 column 2 paragraphs 2 and 3) and passed on to the next in the chain (Figure 6 IC2). The examiner believes that the device of Oakland operates in a "transparent" mode when the TAP controller portion is switched to "BYPASS", whereby the data, address, and control signals pass through the unit to a next unit without being acted upon. Therefore, the examiner rejects the applicant's premise and argument based on a transparent controller, and reiterates the original rejection of the first office action as being valid. And since the same applicant's argument as above is repeated for Claims 54-68, it follows that the examiner maintains

the rejections of these claims based on the first office action. In total, Claims 52 and 54-68 are maintained as being rejected in view of the same references and arguments of the examiner's first office action.

In total, Claims 1, 3-9, 13-28, 30-36, 39, 41-52 and 54-68 are maintained as rejected.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P Trimmings whose telephone number is 703-305-0714. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

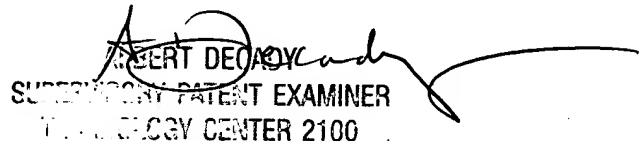


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
John P Trimmings  
Examiner  
Art Unit 2133

jpt

  
ALBERT DECADY  
SUPERVISOR PATENT EXAMINER  
TECHNOLOGY CENTER 2100